IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21269 of 2008
UDAY SINGH
Versus

STATE OF BIHAR
- - - -

3. 8.7.2008 Heard.

The allegation against the petitioner is that he dealt blow with lathi and sickle on the deceased Gopal Singh who was a witness in a criminal case against the petitioner. There is support of the allegation generally from the deceased himself who was examined in paragraph 3 of the case diary as also from the other witnesses.

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However, the contention is that the injuries being on such parts of the body as could not be vital nor the Doctor could find any internal or external injury of such a degree of causing death, and as such there is no cause assigned by the Doctor which resulted into the death.

I have looked to the post- mortem report which appears in paragraph 60 of the case diary and the Doctor has opined that the death was caused due to cardiac failure, considering which let the above named petitioner be directed to be released from

custody on his furnishing a bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad, in Pali P.S.Case No. 27 of 2007.

Kanth

(Dharnidhar Jha, J.)

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